

This document was signed electronically on August 14, 2009,  
which may be different from its entry on the record.

IT IS SO ORDERED.

Dated: August 14, 2009



  
Pat E. Morgenstern-Clarren  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO

IN RE:

KATHLEEN D. TALLIERE FKA  
KATHLEEN DUBIEL FKA  
KATHLEEN GRAY

IN PROCEEDINGS UNDER CHAPTER 13

CASE NO: 06-16377

JUDGE: PAT E. MORGENSTERN-  
CLARREN

Debtor

ORDER UPON AFFIDAVIT GRANTING FINAL RELIEF FROM STAY  
TO DEUTSCHE BANK NATIONAL TRUST COMPANY IN TRUST FOR THE  
BENEFIT OF THE CERTIFICATE HOLDERS FINANCIAL ASSET SECURITIES  
CORP. SOUNDVIEW HOME LOAN TRUST 2005-DO1 ASSET-BACKED  
CERTIFICATES, SERIES 2005-DO1  
(13700 Delaware Drive, Middleburg Heights, OH 44130)

This matter came on for consideration upon the affidavit of DEUTSCHE BANK  
NATIONAL TRUST COMPANY IN TRUST FOR THE BENEFIT OF THE CERTIFICATE  
HOLDERS FINANCIAL ASSET SECURITIES CORP. SOUNDVIEW HOME LOAN TRUST  
2005-DO1 ASSET-BACKED CERTIFICATES, SERIES 2005-DO1 ("Affidavit").

The Court finds that:

1. On July 24, 2007, an order was entered by agreement of the Debtor and DEUTSCHE BANK NATIONAL TRUST COMPANY IN TRUST FOR THE BENEFIT OF THE CERTIFICATE HOLDERS FINANCIAL ASSET SECURITIES CORP. SOUNDVIEW HOME LOAN TRUST 2005-DO1 ASSET-BACKED CERTIFICATES, SERIES 2005-DO1 ("Order").

2. The Debtor's attorney was served with a 10-day letter on July 10, 2009.  
See attached copy.

3. The Debtor is in default under the terms of the Order as attested to in the Affidavit.

IT IS HEREBY ORDERED THAT:

1. The stay imposed by §362(a) of the Bankruptcy Code is terminated with respect to DEUTSCHE BANK NATIONAL TRUST COMPANY IN TRUST FOR THE BENEFIT OF THE CERTIFICATE HOLDERS FINANCIAL ASSET SECURITIES CORP. SOUNDVIEW HOME LOAN TRUST 2005-DO1 ASSET-BACKED CERTIFICATES, SERIES 2005-DO1, its successors and assigns, to foreclose, repossess, replevin or otherwise execute upon its collateral identified in Exhibit A attached hereto and incorporated herein by reference.

2. The Trustee shall discontinue plan payments to DEUTSCHE BANK NATIONAL TRUST COMPANY IN TRUST FOR THE BENEFIT OF THE CERTIFICATE HOLDERS FINANCIAL ASSET SECURITIES CORP. SOUNDVIEW HOME LOAN TRUST 2005-DO1 ASSET-BACKED CERTIFICATES, SERIES 2005-DO1 on its secured claim.

SUBMITTED BY:

/s/ Christian E. Niklas  
SHAPIRO, VAN ESS, PHILLIPS &  
BARRAGATE, LLP.  
Christian E. Niklas (0066725)  
4805 Montgomery Road, Suite 320  
Norwood, Ohio 45212  
(216) 373-3119-ph  
(847) 627-8805-fax  
Attorney for Movant  
cniklas@logs.com

This instrument is prepared by:  
Shapiro, Van Ess, Phillips & Barragate, LLP  
Attorneys at Law  
4805 Montgomery Road  
Suite 320  
Cincinnati, OH 45212

**ALLONGE**

BORROWER: KATHY TALLIERE

HOLDER OF NOTE: INTERVALE MORTGAGE CORPORATION

NOTE EXECUTION DATE: FEBRUARY 1, 2005

NOTE AMOUNT: \$167,450.00

This allonge shall be annexed to the original Note (or to a copy of the Note with a Lost Note Affidavit if the original cannot be located), referenced above for purposes of transferring same from the present Holder of the Note, INTERVALE MORTGAGE CORPORATION ("Transferor") as of the date set forth below. As a result of said transfer, INTERVALE MORTGAGE CORPORATION has no further interest in the Note.

Pay to the order of

DEUTSCHE BANK NATIONAL TRUST COMPANY IN  
TRUST FOR THE BENEFIT OF THE CERTIFICATE  
HOLDERS FINANCIAL ASSET SECURITIES CORP.  
SOUNDVIEW HOME LOAN TRUST 2005-DO1 ASSET-  
BACKED CERTIFICATES, SERIES 2005-DO1 without  
recourse,

INTERVALE MORTGAGE CORPORATION

By:   
Name: Jennifer Guidicessi  
Title: Assistant Vice President

60106900989615019  
Law Firm Case Number (ex. 06-59388)

GERALD M. SHAPIRO  
Licensed in Illinois and Florida Only

DAVID A. VAN ESS  
Licensed in Wisconsin Only

CHRISTOPHER G. PHILLIPS  
Licensed in Ohio and Kentucky Only

PHILLIP BARRAGATE  
Licensed in Ohio and Illinois Only

**Shapiro, Van Ess, Phillips & Barragate, LLP.**

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CLEVELAND OFFICE

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Cleveland, OH 44113  
(216) 373-3111  
(847) 627-8805 Fax

July 10, 2009

Alexander V. Sarady  
614 West Superior Avenue  
Suite 950  
Cleveland, OH 44113

Re: Kathleen D. Talliere fka Kathleen Dubiel fka Kathleen Gray, Debtor  
Case No.: 06-16377  
Our File No.: 06-59388

Dear Mr. Sarady:

Enclosed herewith, please find an Affidavit of Default that I have prepared pursuant to information I have received from my client, DEUTSCHE BANK NATIONAL TRUST COMPANY IN TRUST FOR THE BENEFIT OF THE CERTIFICATE HOLDERS FINANCIAL ASSET SECURITIES CORP. SOUNDVIEW HOME LOAN TRUST 2005-DO1 ASSET-BACKED CERTIFICATES, SERIES 2005-DO1. The Debtor has failed to reinstate the post-petition payments and, based on the Agreed Order previously filed, we are now in the process of proceeding with the Notice of Default to have the stay removed. Please let this letter serve as your ten (10) day Notice of our intent to seek Relief from Stay.

If you have any questions or require further information regarding this matter, please do not hesitate to contact me.

Very truly yours,

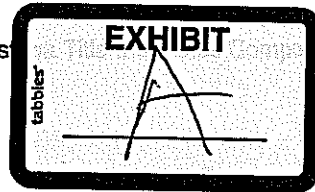
SHAPIRO, VAN ESS, PHILLIPS &  
BARRAGATE, LLP



Christian E. Niklas

06-59388; mn; June 26, 2009

Cones



Commitment Number: 2005011994

### PROPERTY DESCRIPTION

The land referred to in this Commitment is described as follows:

Situated in the City of Middleburg Heights, County of Cuyahoga and State of Ohio; and known as being Sublot No. 205 in Sprucewood Construction Company's Indiana Creek Estates No. 2 of part of Original Middleburg Township Lots Nos. 1, 2 and 3, Section No. 5, as shown by the recorded plat in Volume 209 of Maps, Page 28 of Cuyahoga County Records, and being 75 feet front on the Northerly side of Delaware Drive, and extending back 140 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

ALTA Commitment  
Schedule C

(2005011994.PFD/2005011994/11)

CUYAHOGA COUNTY RECORDER  
200602071001 PAGE 4 of 17

## **CERTIFICATE OF MAILING**

### **Served by Regular U.S. Mail**

Kathleen D. Talliere fka  
Kathleen Dubiel fka  
Kathleen Gray  
13700 Delaware Drive  
Middleburg Heights, OH 44130  
Debtor

### **Electronic Mail Notice List**

The following is a list of parties who are currently on the list  
to receive e-mail notice/service for this case:

Craig H. Shopneck  
ch13shopneck@ch13cleve.com  
Chapter 13 Trustee

Alexander V. Sarady, Esq.  
asarady@ohiolegalclinic.com  
Attorney for Debtor

Christian E. Niklas, Esq.  
cniklas@logs.com  
Attorney for Movant

06-59388; mn; June 26, 2009

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